

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9364 of 2020

Arising Out of PS. Case No.-137 Year-2019 Thana- ANDHRAMATH District- Madhubani

1. Md. Akbar, aged about 24 years, Male, Son of Md. Ishak, Resident of Village- Bauntol, P.S.- Laukahi, District- Madhubani.
2. Md. Kudush, aged about 30 years, Male, Son of Md. Jainul, Resident of Village- Bauntol, P.S.- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-02-2020 Learned counsel for the petitioners seeks permission to withdraw this application against petitioner no.1, namely, Md. Akbar, hence, he does not press this application against petitioner no.1.

Accordingly, this application is dismissed as withdrawn against petitioner no.1, Md. Akbar.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Andhramath P.S. Case No. 137 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.



Learned counsel for the petitioners submits that there is recovery of 945 liters of Nepali wine from the field of Vijay Mandal. Learned counsel for the petitioners further submits that there is no recovery from the conscious possession of the petitioner no.2 and the petitioner no.2 has got no criminal antecedent.

In the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner no.2, subject to the condition that the petitioner no.2 is agreed to deposit Rs.50,000/- (fifty thousand) in the Juvenile Justice Fund of the State Social Welfare Department and on deposit of the aforesaid amount, in the event of his arrest or surrender before the court below within six weeks from the date of communication of this order, the court below shall release on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II Cum Special Judge, Excise Act, Madhubani, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Nasimul/-

U		T	
---	--	---	--

